



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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CAROLE JOHNSON
Commissioner

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Lt. Governor

NATASHA JOHNSON
Assistant Commissioner

The following Decision is distributed for your information. This Decision has been made in consideration of the specific facts of this case. This Decision is not to be interpreted as establishing any new mandatory policy or procedure otherwise officially promulgated.

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 00490-20 A.D.

AGENCY DKT. NO. C249219020 (UNION COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency denied Petitioner EA benefits, and imposed a six-month EA ineligibility penalty, contending that she moved to New Jersey ("NJ") without a plan for self-sufficiency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 14, 2020, the Honorable Susana Guerrero, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On January 15, 2020, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that Petitioner moved to NJ from another state without an offer of employment or without a plan for permanent housing, and that she had immediately applied for EA benefits upon her arrival in NJ. See Initial Decision at 2-3; see also Exhibit R-1 at 1-3. The ALJ also found that Petitioner had not provided convincing testimony, or evidence, to substantiate her claim that her emergency situation was not the result of her failure to plan. Ibid. Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. Id. at 3-4; see also Exhibit R-1 at 4-8, and N.J.A.C. 10:90-6.1(c)(3). I agree.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

Additionally, because I concur with the ALJ's conclusion, I find that Petitioner caused her own homelessness, and as such, the Agency's imposition of a six-month EA ineligibility penalty was also proper and must stand. See Initial Decision at 3-4; see also Exhibit R-1 at 5, and N.J.A.C. 10:90-6.1(c)(3). Petitioner's six-month EA ineligibility penalty shall run from January 6, 2020, the date of the Agency's denial, through July 5, 2020. See Exhibit R-1 at 4-8.

By way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.



Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version.

JAN 21 2023

Natasha Johnson

Assistant Commissioner

